

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Frank A. and Shelly Palombaro, Jr., <i>et</i>	:	Case No. 1:15-cv-792
<i>al.</i> ,	:	
	:	
Plaintiffs,	:	Judge Susan J. Dlott
	:	
v.	:	
	:	Order
Emery Federal Credit Union,	:	
	:	
Defendant.	:	
	:	

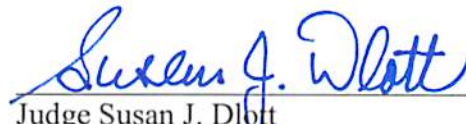
This matter is before the Court on Plaintiffs' Motion for Preliminary Approval of Settlement of All Claims Asserted Against Emery Federal Credit Union. (Doc. 341.) The matter has been set for a hearing on January 4, 2018. In addition to being prepared to discuss the Motion as a whole, the Court directs the parties to prepare to address the following topics at the hearing:

1. Please explain the proposed changes to the class definition. Are Plaintiffs requesting that the Court modify the existing class under Rule 23(c)(1)(c) or certify a new class for settlement purposes only under Rule 23(e)?¹ Under either approach, how is the Rule 23(a)-(b) analysis met? What class members will be excluded under the proposed modified class definition?
2. What is the expected range of recovery from a best and a worst case scenario, and how does the proposed settlement figure compare?
3. Please address the Defendant's ability to pay the proposed settlement.

¹ The Motion uses language indicating Plaintiffs request modification to the class definition, whereas the proposed Notice and Order use language to the effect of certifying a settlement class.

4. What is the cost of the designated Settlement Administrator?

IT IS SO ORDERED.



Judge Susan J. Dlott
United States District Court